

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

WELLS FARGO BANK, N.A.,  
 Plaintiff(s),

v.

ANC VISTA I, LLC, et al.,  
 Defendant(s).

Case No. 2:14-cv-0840-JCM-NJK  
**ORDER**

Pending before the Court is Defendants' motion to compel. Docket No. 70. The Court held a hearing on that motion on September 17, 2015. Docket No. 106. At that hearing, Plaintiff's counsel acknowledged that the form used for the memorandum at issue was a standard one, but that memorandum went beyond a review of FIRREA compliance and instead provided additional feedback regarding the Garff appraisal. *See, e.g.*, Hearing Rec. (9/17/2015) at 3:16-3:17 p.m. (the review does not just state whether the appraisal is FIRREA compliant, but rather "it provides actual feedback to a business lawyer on whether that appraisal was viewed to be a quality appraisal or not"); *id.* at 3:17 p.m. (business lawyer needs to know whether the appraisal was "shabby"). Plaintiff's counsel understandably did not elaborate on that position during the hearing itself, which was attended by opposing counsel and party representatives for Defendants.

Nonetheless, to ensure that the record is complete, the Court hereby **ORDERS** Plaintiff to file a declaration elaborating and substantiating that position that the review at issue provided feedback on

1 the quality of the appraisal beyond mere compliance with FIRREA. That declaration shall be filed on  
2 an *ex parte* basis and under seal no later than September 25, 2015.

3 IT IS SO ORDERED.

4 DATED: September 18, 2015

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8 NANCY J. KOPPE  
9 United States Magistrate Judge  
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